

Message Text

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ACTION ARA-10

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FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC PRIORITY 6565

INFO AMEMBASSY LIMA

C O N F I D E N T I A L SANTIAGO 0269

FOR ASSISTANT SECRETARY ROGERS FROM AMBASSADOR

E.O. 11652: GDS

TAGS: SHUM, CI, PE

SUBJECT: PAROLE PROGRAM

REF: STATE 6727

1. AS I SAID IN SANTIAGO 220, WE SHARE YOUR DISMAY AT THE MEAGER RESULTS OF THE CHILEAN PAROLE PROGRAM THUS FAR. LIKE YOU, I WILL NOT RESORT TO RECRIMINATIONS OR EXCUSES. LET ME SIMPLY POINT OUT THAT IF THERE IS ANY IMPLICATION FROM ANY QUARTER THAT THE SMALL STAFF OF PERSONS IN THIS EMBASSY WORKING ON THIS PROGRAM HAS BEEN NEGLIGENT OR OBSTRUCTIVE IN THEIR DUTIES, I WOULD MOST ENERGETICALLY REJECT IT.

2. OUR WEEKLY STATUS REPORTS AND OTHER TELEGRAMS HAVE KEPT WASHINGTON AGENCIES FULLY INFORMED OF OUR PROBLEMS. WITH SUSTAINED EFFORT, A RESPECTABLE PIPELINE OF CASES WHO MIGHT LEAVE CHILE FOR THE US UNDER THE PROGRAM HAS BEEN BUILT UP. IT IS BY NO MEANS AS LARGE AS THE TOTAL OF 300 WE HAD HOPED TO REACH, FOR REASONS WE HAVE REPEATEDLY DETAILED. BUT BECAUSE EACH OF THESE INDIVIDUALS IS A HUMAN BEING WHO HAS LOST HIS FREEDOM ON POLITICAL GROUNDS, I THINK YOU ARE RIGHT TO CONTROL YOUR IMPULSE TO DROP THE PROGRAM NOW.

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3. LET ME COMMENT ON THE SPECIFIC STEPS YOU PROPOSE IN

YOUR MESSAGE. (SUBPARAGRAPHS ARE KEYED TO YOURS.)

A. WE HAVE JUST RECEIVED DEPT. 7410 RE REVIEW OF
PAROLE APPLICATION REFUSALS AND WILL REPLY IN SEPARATE MESSAGES.

B. WE WILL WELCOME ANYTHING THAT CAN BE DONE TO SPEED
UP ACTION AT WASHINGTON END. THAT AT LEAST IS FULLY WITHIN
USG CONTROL. AT SANTIAGO END, WE HAVE TO CONTEND WITH
AN UNENTHUSIASTIC GOVERNMENT KNOWN FOR ITS INEPT AND
CUMBROUS BUREAUCRATIC PROCESSES. IN A MOVE TO BREAK OUR
WORST SINGLE BOTTLENECK, WE ARE PLANNING, AS STATED IN
ANOTHER MESSAGE, TO DISPENSE WITH ADVANCE DIRECTORATE OF
NATIONAL INTELLIGENCE (DINA) SECURITY CHECK AND TO RELY
PRINCIPALLY ON LOCAL INTERPOL AND INTERNAL EMBASSY CHECKS.
OUR RECENT EXPERIENCE HAS PROVED THAT THERE IS CONSIDERABLE
OVERLAP IN THE TWO GOC SECURITY SYSTEMS AND THAT DINA
RARELY FURNISHES SIGNIFICANT INFORMATION NOT CONTAINED
IN THE INTERPOL REPORT.

C. YOU ARE PUSHING AN OPEN DOOR, AS FAR AS THIS
EMBASSY IS CONCERNED, IN SUGGESTING THAT WE BROADEN THE
SCOPE OF THE PROGRAM TO INCLUDE EX-POLITICAL PRISONERS
WHO ARE NOW FREE--PROVIDED THEY CAN MAKE A REASONABLE
CASE THAT THEY ARE STILL IN JEOPARDY. (SANTIAGO 220, PARA
12). I AM SURE YOU DID NOT INTEND TO CONVEY ANY OTHER
IMPRESSION. BUT TO DO THIS, WE NEED DECISIONS IN TWO
FIELDS. FIRST, WASHINGTON MUST GIVE US REVISED INSTRUCTIONS:
I HOPE YOU WILL BE SUCCESSFUL IN OBTAINING THEM. SECOND,
WE WILL HAVE TO TEST THE GOC'S WILLINGNESS TO ALLOW
INDIVIDUALS, NOW AT LIBERTY THOUGH PREVIOUSLY HELD AS
POLITICAL OPPONENTS, TO LEAVE THE COUNTRY. IF YOU
CAN GIVE US ENCOURAGEMENT ABOUT THE PROSPECTS AT YOUR
END, I WILL BE GLAD TO RAISE THE MATTER HERE. IT COULD
CONCEIVABLY BE THAT WE MIGHT EVENTUALLY FIND OURSELVES
GOING WELL BEYOND THE ORIGINAL TARGET FIGURE OF 300
FORMER DETAINEES, BUT I ASSUME THIS A BRIDGE WE WOULD
CROSS IF WE CAME TO IT.

D. OF COURSE, ADEQUATE BRIEFING AT BOTH ENDS IS
DESIRABLE. AND YOU ARE RIGHT IN YOUR ASSUMPTION THAT
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NO ONE HERE FEELS THAT ARMED RESISTANCE TO THE COUP
AUTOMATICALLY MAKES A CHILEAN A DANGEROUS EXTREMIST,
UNSUITABLE FOR ASSISTANCE BY US. OUR OPERATING PROBLEM
HAS BEEN TO FIND THE PRECISE POINT ALONG THE SPECTRUM FROM ACTIVE
COMMUNISTS AND URBAN GUERRILLA MIRISTAS AT ONE END, DOWN
TO SYMPATHIZERS AND OCCASIONAL PARTICIPANTS AND
THOSE CONVICTED OF POSSESSING ARMS AT THE OTHER, AT
WHICH WE SHOULD RECOMMEND REFUSAL.

WE MUST, OF COURSE, BE GOVERNED BY TERMS OF SECTION 212 (A) (27)(28)(29) OF THE IMMIGRATION ACT AND ITS 9FAM, IMPLEMENTING REGULATIONS. WE RECOGNIZE THAT THESE PROVISIONS LEAVE A CERTAIN SCOPE FOR EXERCISE OF JUDGMENT BY CONSULAR AND OTHER REVIEWING OFFICERS. BUT OUR PROBLEM IS COMPOUNDED BY THE ADDITIONAL REQUIREMENT THAT WE ASSESS "UNDESIRABILITY" UNDER OUR GUIDELINES (75 STATE 137514). WE ARE GIVEN NO SPECIFIC GUIDANCE WITH RESPECT TO "UNDESIRABILITY" AND HAVE THEREFORE BEEN FLYING BLIND, TO THE BEST OF OUR ABILITY, IN MAKING THESE RECOMMENDATIONS. IN THIS CONNECTION, WOULD IT BE POSSIBLE TO REASSESS AND CLARIFY CONCEPT OF UNDESIRABILITY, SO THAT WE COULD AVOID SUBSTANTIAL INJUSTICE TO ANY APPLICANT?

WE WOULD POINT OUT THAT DEPARTMENT, AS WELL AS EMBASSY SANTIAGO, IS REQUIRED TO MAKE RECOMMENDATIONS ON PAROLEES, AND THAT INS MUST RENDER A DECISION. UP TO NOW WASHINGTON AGENCIES HAVE VERY LARGELY ACCEPTED OUR VIEWS AND CERTAINLY HAVE NOT BEEN LESS RESTRICTIVE IN THEIR REACTIONS THAN THE RECOMMENDATIONS WE HAVE FORWARDED. IN LIGHT OF YOUR COMMENT, WE WILL PROMPTLY PROCEED TO REVIEW ALL CASES WE HAVE CONSIDERED INELIGIBLE OR UNDESIRABLE. WE WILL KEEP YOU ADVISED. SEPTTEL CONTAINS FURTHER DETAILS.

E. HITHERTO, ICEM HAS ACTED AS OUR AGENT IN DEALING WITH GOC. DESPITE ITS SMALL STAFF, IT HAS PERFORMED CONSCIENTIOUSLY IN THIS REGARD, AND WE HAVE NOT WANTED TO COMPLICATE LINES OF COMMUNICATION BY DUPLICATION OF EFFORT OR PULLING MATTERS OUT OF ITS HANDS. I WOULD RECALL THAT ICEM PLAYS THE VERY USEFUL ROLE OF BUFFER AND BROKER. BUT IF IT IS THOUGHT THAT IT WOULD BE HELPFUL FOR US ALSO TO HAVE A DIRECT INPUT WITH GOC, I EXPECT CONFIDENTIAL

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WE CAN ARRANGE IT. I HAVE SET THE STAGE BY A JANUARY 12 DISCUSSION WITH THE MINISTER OF THE INTERIOR.

F. AS OUR PREVIOUS REPORTS HAVE INDICATED, ICEM HAS NOT BEEN A SIGNIFICANT ROADBLOCK, UNDER OUR PRESENT CRITERIA. I BELIEVE THAT, WITHIN ITS CAPABILITIES, IT WILL EXPAND THE SCOPE OF ITS EFFORTS ON OUR BEHALF IF WE DECIDE TO MAKE ADDITIONAL PERSONS ELIGIBLE FOR PAROLE. I MUST POINT OUT, HOWEVER, THAT, FIRST, I SUSPECT THERE WILL BE LIMITS TO THE GOC'S WILLINGNESS TO INCREASE THE NUMBER OF EXILE DECREES AND SECOND, THAT WE MAY HAVE TO PAY A PRICE IF WE WANT TO RAISE THESE LIMITS.

G. TOM BOYATT IS ABOARD AND IS ATTACKING THIS PROBLEM WITH HIS USUAL ENERGY AND SKILL.

H. WE UNDERSTAND ICEM HAS ALREADY RECEIVED INSTRUCTIONS
AS A RESULT OF YOUR CABLE TO GENEVA. WOULD YOU REPEAT IT TO US?

4. IF YOU THINK IT WOULD BE HELPFUL EITHER FOR A MEMBER
OF CONGRESS OR STAFF AIDE TO COME DOWN HERE TO OBSERVE
OUR OPERATIONS, OR FOR ME TO VISIT WASHINGTON, PLEASE
LET ME KNOW.
POPPER

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